

EXHIBIT A

Gallagher & Kennedy, P.A.
2575 East Camelback Road
Phoenix, Arizona 85016-9225
(602) 530-8000

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

ENS Labs Ltd., *et al.*,
Plaintiffs,

v.

GoDaddy Incorporated, *et al.*,
Defendants.

No. 2:22-CV-01494-JJT

DECLARATION OF HALLIE CAO

Hallie Cao, being duly sworn, deposes and says:

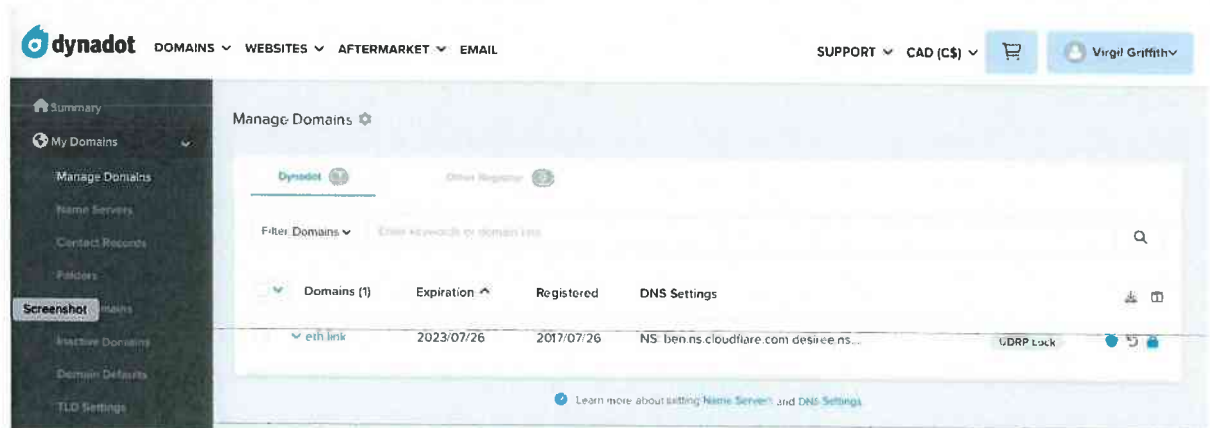
1. I am over the age of eighteen (18) years old and I am competent to testify to the matters contained in this affidavit and the statements contained in this affidavit are true and correct to my own personal knowledge, unless otherwise stated.
2. I am the Aftermarket Director at Dynadot, LLC ("Dynadot"). I have held this position since January 1, 2020. I have been employed with Dynadot for over 9 years.
3. In connection with my position, I am familiar with registrar management and administration, as well as the governing regulations issued by the Internet Corporation for Assigned Names and Numbers ("ICANN") and its Uniform Domain-Name Dispute-Resolution Policy ("UDRP") and rules.
4. On or about September 8, 2022, Dynadot became aware of an ownership dispute involving the eth[.]link domain name ("Domain") that was auctioned through the Dynadot Auction Exchange ("DAX") between August 26, 2022 to September 3, 2022.

5. An auction lock was automatically activated on the Domain at the conclusion of the auction, on September 3, 2022. The auction lock prevents transfer to another registrar and ensures payment for purchase. The auction lock automatically expires after fifteen days.
6. After receiving the September 9, 2022 Order, Dynadot modified the auction lock transfer restriction setting on the Domain, to one that would not automatically expire after fifteen days, this is the setting that is still active on the Domain. This is the most efficient way to set the domain name to a non-transferrable state.
7. The Domain was transferred to an account managed by Plaintiffs' counsel on September 14, 2022. (See, Exhibit 3 – Transfer Log).
8. On September 15, 2022, Plaintiffs' counsel accepted a prompt requesting acceptance of Dynadot's Terms of Use.

Logs([Show Count](#))

2022	3	1	2023	4	17	Contact Record		Search
Date	Who	Type	Message	IP				
2022/09/15 15:35	@customer	Contact Record	Contact Record C-961918 verified; agreed to S.A. IP: 38.142.6.114	38.142.6.114				
2022/09/13 11:06	@customer	Contact Record	Contact Record 961918 Created; IP: 69.195.247.116; Name: Virgil Griffith; Email: aurbelis@crowell.com;	69.195.247.116				

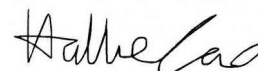
9. The transfer restriction setting appears as “UDRP Lock” on the user-side panel.



10. The user-side panel, which shows the “UDRP Lock”, is not visible to website users.
11. This setting puts the Domain in a non-transferable state but does not otherwise infringe on the use or ownership of the domain name.
12. As a result of activating a non-transferability setting, registrants are prevented from changing the name servers of the domain name directly through their accounts’ control panels, however, they are able to submit change requests directly to the registrar.
13. Pursuant to the ICANN requirements, Dynadot provides a 24/7 abuse reporting and response service.
14. On March 27, 2023 and March 28, 2023, Dynadot received two abuse complaints alleging that the Domain was hosting phishing scams. (*See*, Exhibit 1 – Abuse Complaint 1 with response and Exhibit 2 – Abuse Complaint 2 with response and supporting documents).
15. These abuse reports received by Dynadot contained allegations of phishing scams, which pursuant to the ICANN rules must be investigated by the registrar.
16. Upon investigation by a customer service agent, the links were checked against the records of Virustotal, a prominent third-party cyber-threat database, which identified certain matches. (*See*, Exhibit 2).
17. As a result of the matches, Dynadot’s customer service agent turned off the Domain’s resolution, disabling it on March 29, 2022 at 7:22 PST, and flagged the Domain for additional review.
18. A senior customer service agent then reviewed this matter and reversed the remedial action by restoring the domain name that same day at 9:07 PST.
19. The Domain was offline for about one hour to one hour and forty-five minutes.

1 I declare under penalty of perjury under the laws of the United States of America
2 that the foregoing is true and correct to the best of my knowledge.

3 EXECUTED this 15th day of May, 2023.

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EXHIBIT 1

Abuse report IP: 212.73.134.219
Name: Leoinel
Email Address: leoinel123@proton.me
Domain Path: <https://tornadocash.eth.link/>
Domain names: eth.link
Comment: Hello Dynadot team,

there is a fraudulent phishing site on your domain servers which pretend to offer a service to money mix/lauder cryptocurrencies which is totally fake. They also got no license or something to launder money in crypto, which is against the ToS.

They try to make look it real and fish people into "mixing" their cryptocurrencies on their site. But they only steal the cryptocurrencies which people send to that fake service and the fraudsters take it without giving out anything.

They promote their scam sites through search engine SEO.

A lot of people lose their hard earned money through this kind of scam.

The Phishing Domain is:
tornadocash.eth.link

They do always generate the same crypto address after entering a crypto address, so they receive all the money because the output crypto address belongs to them. That is how the scam works, the senders ethereum victims want to mix/lauder goes instantly into the pockets of the fraudsters who host this domain.

It is a phishing site of the real service "Tornado.cash", Proof:
https://en.wikipedia.org/wiki/Tornado_Cash

Please take actions against these fraudsters and the abused phishing domain "tornadocash.eth.link".

Best regards,
Leoinel.



Close

From Dynadot Abuse Dept <abuse@dynadot.com>
To leoinel123@proton.me
Subject Abuse Complaint Received (eth.link)
Date Mar 21, 2023 18:01 PST
Size 3585

Hello,

Thank you for submitting your abuse complaint. We'll investigate the matter, and take action where we deem appropriate.

Please note, we're unable to disclose any additional information and/or updates without a signed court order.

Thank you again.

Best Regards,
Nathan Bateman
Dynadot Abuse Team

Please include case number ddcn:6Qd8Fn7v9KC7n:ddcn in the body of all future correspondences with regards to this case.

Stay connected with the Dynadot app

[HELP FILES](#) | [BLOG](#) | [CONTACT US](#)

EXHIBIT 2

Abuse report IP: 212.73.134.219

Name: Earl S.

Email Address: earlson55@proton.me

Domain Path: <https://anonymousmixer.eth.link/>, <https://tornadocash.eth.link/>

Domain names: eth.link

Comment: Hello Dynadot team,

there is a fraudulent phishing site on your domain servers which pretend to offer a service to money mix/lauder cryptocurrencies which is totally fake. They also got no license or something to launder money in crypto.

They try to make look it real and fish people into "mixing" their cryptocurrencies on their site. But they only steal the cryptocurrencies which people send to that fake service and the fraudsters take it without giving out anything.

They promote their scam sites through search engine SEO.

A lot of people lose their hard earned money through this kind of scam.

The Phishing Domain is:

<https://anonymousmixer.eth.link/>

They had 2 same phishing domains and websites up which got both suspended, proof:

<https://www.whois.com/whois/anonymousmixer.com>

<https://www.whois.com/whois/anonymousmixers.com>

<https://web.archive.org/web/20221029175043/https://www.anonymousmixer.com/> (Backup of the suspended Phishing site)

The other Phishing Domain is:

<https://tornadocash.eth.link/>

It is a phishing clone of the Ethereum mixer Tornado Cash which is offline and got seized, Proof:

https://en.wikipedia.org/wiki/Tornado_Cash

The Phishing domains are hosted as subdomains from "Eth.link" which is hosted on Dynadot.

Their registrant information is also wrong and false from the domain holder.

Please take actions against these fraudsters.

Kind regards,

Earl.



Close

From Dynadot Abuse Dept <abuse@dynadot.com>
To earlson55@proton.me
Subject Abuse Complaint Received (eth.link)
Date Mar 29, 2023 07:14 PST
Size 3580

Hello,

Thank you for submitting your abuse complaint. We'll investigate the matter, and take action where we deem appropriate.

Please note, we're unable to disclose any additional information and/or updates without a signed court order.

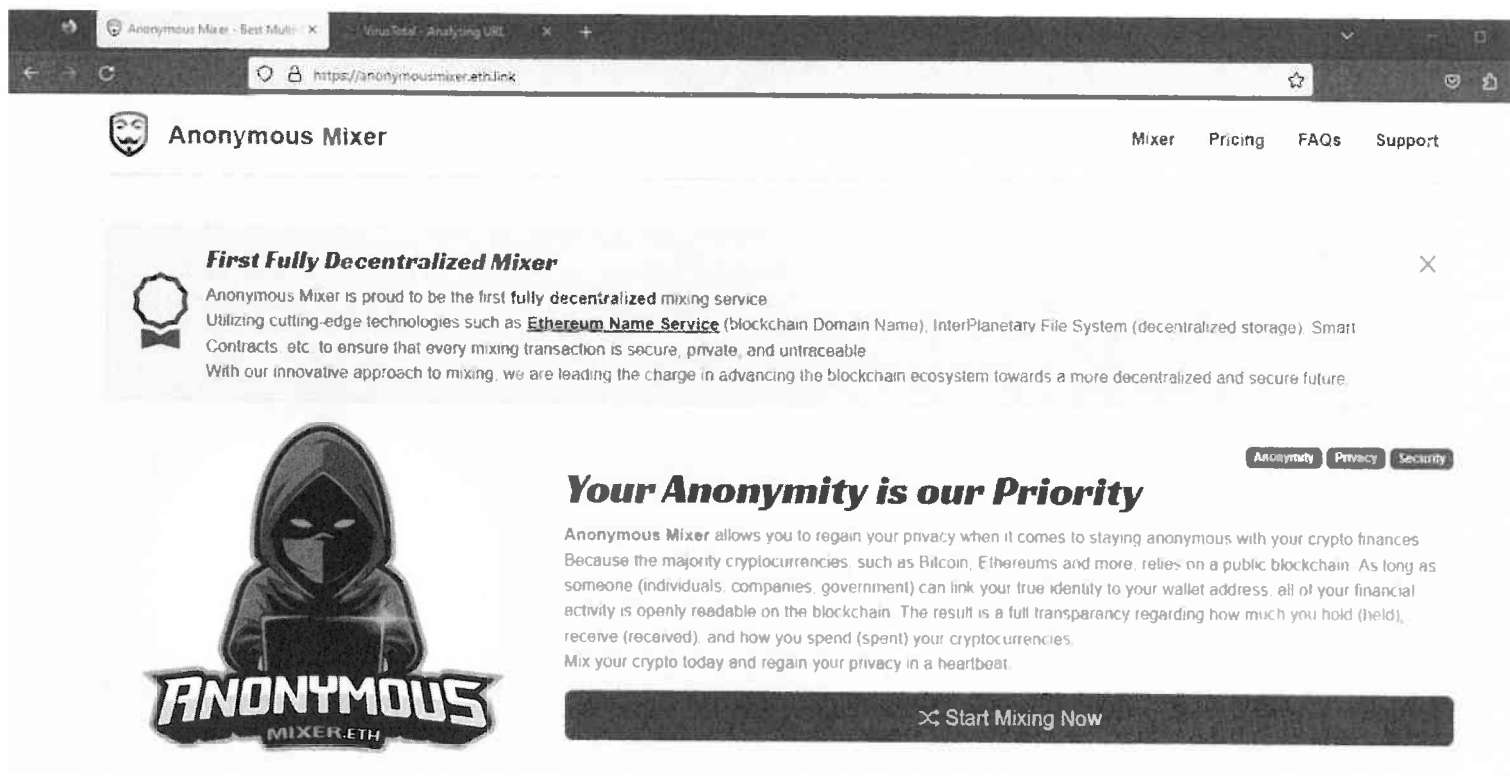
Thank you again.

Best Regards,
Tina James
Dynadot Abuse Team

Please include case number ddcn:729V7V9FMRk7Z:ddcn in the body of all future correspondences with regards to this case.

Stay connected with the Dynadot app

[HELP FILES](#) | [BLOG](#) | [CONTACT US](#)



Anonymous Mixer

Mixer Pricing FAQs Support

First Fully Decentralized Mixer

Anonymous Mixer is proud to be the first fully decentralized mixing service. Utilizing cutting-edge technologies such as Ethereum Name Service (blockchain Domain Name), InterPlanetary File System (decentralized storage), Smart Contracts, etc. to ensure that every mixing transaction is secure, private, and untraceable. With our innovative approach to mixing, we are leading the charge in advancing the blockchain ecosystem towards a more decentralized and secure future.

ANONYMOUS MIXER.ETH

Your Anonymity is our Priority

Anonymous Mixer allows you to regain your privacy when it comes to staying anonymous with your crypto finances. Because the majority cryptocurrencies, such as Bitcoin, Ethereum and more, relies on a public blockchain. As long as someone (individuals, companies, government) can link your true identity to your wallet address, all of your financial activity is openly readable on the blockchain. The result is a full transparency regarding how much you hold (held), receive (received), and how you spend (spent) your cryptocurrencies. Mix your crypto today and regain your privacy in a heartbeat.

Start Mixing Now

Multi-Currency Mixer

Anonymous Mixer has been designed to provide the best mixing service to the most used cryptocurrencies



Anonymous Mixer - Best Multi- x VirusTotal - URL - 60b571056dfd x Tornado.cash

https://www.virustotal.com/gui/url/60b571056dfd75933a44f5ac5a486216a87b2a78f7686667e8f5dbe723fc4cee

https://tornadocash.eth.link/

0 / 90

Community Score

No security vendors flagged this URL as malicious

https://tornadocash.eth.link/
tornadocash.eth.link

200 Status 2023-02-22 20:12:01 UTC 1 month ago

DETECTION DETAILS COMMUNITY 1

Join the VT Community and enjoy additional community insights and crowdsourced detections, plus an API key to automate checks.

Security vendors' analysis

Do you want to automate checks?

Forcepoint ThreatSeeker	Suspicious	Abusix	Clean
Acronis	Clean	ADML/USLabs	Clean
AICC (MONITORAPP)	Clean	AlienVault	Clean
alphaMountain.ai	Clean	Anity-AVL	Clean
Artists Against 419	Clean	Aura	Clean
benkow.cc	Clean	Bigre Ai PreCrime	Clean
BitDefender	Clean	BlockList	Clean
Blueliv	Clean	Certego	Clean
Chong Lua Dao	Clean	CINS Army	Clean
CMC Threat Intelligence	Clean	CRDF	Clean

Anonymous Mixer - Best Multi- X VirusTotal - URL - a5b997405d X +

https://www.virustotal.com/gui/url/a5b997405d4bde05caca0af9269a418d07a87046f49cd087baf76f75a296fb0d?nocache=1

https://anonymousmixer.eth.link/

0 / 88

No security vendors flagged this URL as malicious

https://anonymousmixer.eth.link/
anonymousmixer.eth.link

200 Status 2023-03-29 14:17:27 UTC a moment ago

Community Score

DETECTION DETAILS COMMUNITY

Join the VT Community and enjoy additional community insights and crowdsourced detections, plus an API key to [automate checks](#).

Security vendors' analysis ⓘ

Do you want to automate checks?

Forcepoint ThreatSeeker	⚠ Suspicious	Abusx	✓ Clean
Acronis	✓ Clean	ADMIT/USLabs	✓ Clean
AICC (MONITORAPP)	✓ Clean	AlienVault	✓ Clean
alphaMountain.ai	✓ Clean	Antiy-AVL	✓ Clean
Artists Against 419	✓ Clean	Awa	⚠ Clean
benkow.cc	✓ Clean	Biora AI PreCrime	✓ Clean
BitDefender	✓ Clean	BlockList	✓ Clean
Blueliv	✓ Clean	Certego	✓ Clean
Chong Lua Dao	✓ Clean	CINS Army	✓ Clean
CMC Threat Intelligence	✓ Clean	CRDF	✓ Clean

The screenshot shows the Tornado Cash web application in a browser window. The address bar displays `https://tornadocash.eth.link`. The interface is dark-themed and includes a navigation bar with links for Voting, Compliance, and Docs. A top right section shows the Ethereum logo, a 'Set' button, and a notification for a 'New version Tornado Cash Nova'.

Three informational banners are present:

- A warning about using a public IPFS gateway and its security implications.
- A notice that Tornado Cash is now community-maintained, with a link to `tornadocash.community`.
- A warning about OFAC sanctions affecting RPC endpoints, advising users to manually configure their wallets.

The main content area is divided into two tabs: 'Deposit' (active) and 'Withdraw'. The 'Deposit' section includes:

- A 'Token' dropdown menu currently set to 'ETH'.
- An 'Amount' input field with a slider below it, showing values from 0.1 ETH to 100 ETH.
- A 'Connect' button at the bottom of the deposit form.

To the right of the deposit form is a 'Statistics' section, which includes:

- An 'Anonymity set' indicator showing '27517 equal user deposits'.
- A 'Latest deposits' table listing recent transactions with their IDs and timestamps.

The footer contains a donation address (`0x8ec344e3873505d34450b0f726136e10f8c90f7`), the version number (`#97a39`), and several small utility icons.

Deposit ID	Time	Deposit ID	Time
27517	6 hours ago	27512	14 hours ago
27516	7 hours ago	27511	14 hours ago
27515	14 hours ago	27510	14 hours ago
27514	14 hours ago	27509	18 hours ago
27513	14 hours ago	27508	18 hours ago

EXHIBIT 3

 Dynadot >

 Alex Levit

☐

C-961918

Virgil Griffith
aurbelis@crowell.com

590 Madison Avenue
New York, NY 10022
United States

+376 2128954254

yes

Verified



view more

View All

Servers Show Count

Host Name	IP Address	In Use
ben.ns.cloudflare.com		yes
desiree.ns.cloudflare.com		yes
ns1.bodis.com		no
ns2.bodis.com		no

[view more](#)[View All](#)

Fraud Indicators

Unmarked

[Check for Fraud](#)

%	Indicator	Value	In Use	Definition
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Marketing Info

Heard About Us	Drefid	Landing Page	Referral Page
Twitter:	None -1	/	

Processing Logs

Account(1)

date	name	type	duration	other AID	OID	DomainId	unixdate
2022/09/14 14:58	eth.link	move		6912	-1	16092369	1663192697520

Logs Show Count

2023

4

1

-

2023

5

14

None

 Search

Date	Who	Type	Message	IP
2023/04/19 11:43	@customer	Account Lock	Account UNLOCKED	38.140.250.34
2023/04/19 11:43	@customer	Customer PIN Change	Customer PIN changed: 3279	38.140.250.34
2023/04/19 11:43	@customer	Signin/Secure Signin	Signin: 38.140.250.34	38.140.250.34
2023/04/13 07:58	@customer	Customer PIN Change	Customer PIN changed: 3168	38.140.250.34
2023/04/13 07:58	@customer	Signin/Secure Signin	Signin: 38.140.250.34	38.140.250.34

EXHIBIT B

Bokhari, Yusra B.

From: Bokhari, Yusra B.
Sent: Tuesday, January 17, 2023 4:44 PM
To: Canter, Jacob; Parker, Warrington; O'Malley, Kevin E.
Cc: Urbelis, Alexander; Mejía-Cuéllar, Kimberly; Lee, Katie
Subject: RE: TNL v. GoDaddy et al.

Jacob:

The Court order does not entitle you to transfer the eth[.]link to your own registrar.

Gallagher&Kennedy

2575 E. Camelback Road, Suite 1100
Phoenix, Arizona 85016-9225
(602) 530-8000 | gknet.com

Yusra B. Bokhari
Attorney Profile
yusra.bokhari@gknet.com
(602) 530-8089

From: Canter, Jacob <JCanter@crowell.com>
Sent: Tuesday, January 17, 2023 3:13 PM
To: Bokhari, Yusra B. <yusra.bokhari@gknet.com>; Parker, Warrington <WParker@crowell.com>; O'Malley, Kevin E. <kevin.omalley@gknet.com>
Cc: Urbelis, Alexander <AUrbelis@crowell.com>; Mejía-Cuéllar, Kimberly <KMejiaCuellar@crowell.com>; Lee, Katie <KatLee@crowell.com>
Subject: RE: TNL v. GoDaddy et al.

Yusra,

Rather than argue whether Dynadot is or is not in compliance with the Court Order, we intend to transfer eth[.]link to our own registrar. The Dynadot account page, however, clearly states that there is a "UDRP Lock" on the eth[.]link domain. We confirmed this is still the case moments ago. Please remove the lock. If the lock prevents us from transferring—and it does—that is not in compliance with the Court Order.

Jacob Canter

Pronouns: he/him/his
Crowell & Moring LLP
jcanter@crowell.com
+1.415.365.7210 direct | +1.415.385.3716 mobile

From: Bokhari, Yusra B. <yusra.bokhari@gknet.com>
Sent: Tuesday, December 13, 2022 5:15 PM
To: Parker, Warrington <WParker@crowell.com>; O'Malley, Kevin E. <kevin.omalley@gknet.com>
Cc: Urbelis, Alexander <AUrbelis@crowell.com>; Canter, Jacob <JCanter@crowell.com>; Mejía-Cuéllar, Kimberly <KMejiaCuellar@crowell.com>; Lee, Katie <KatLee@crowell.com>
Subject: RE: TNL v. GoDaddy et al.

External Email

Parker:

Dynadot is in compliance with the Court's order. There is no UDRP lock on the account. Your email refers to the account settings, whereby the domain name is set to non-transferable state. We understand that this prevents anyone from changing the name servers of the domain name. Dynadot, can change the name servers based on your clients' requests, which can be made directly to Dynadot. Alternatively, Dynadot is willing to explore a custom transfer lock for eth.link that would remove the UDRP notice from the account page.

Thanks,

Gallagher&Kennedy

2575 E. Camelback Road, Suite 1100
Phoenix, Arizona 85016-9225
(602) 530-8000 | gknet.com

Yusra B. Bokhari
Attorney Profile
yusra.bokhari@gknet.com
(602) 530-8089

From: Parker, Warrington <WParker@crowell.com>

Sent: Monday, December 12, 2022 10:13 AM

To: Bokhari, Yusra B. <yusra.bokhari@gknet.com>; O'Malley, Kevin E. <kevin.omalley@gknet.com>

Cc: Urbelis, Alexander <AUrbelis@crowell.com>; Canter, Jacob <JCanter@crowell.com>; Mejía-Cuellar, Kimberly <KMejiaCuellar@crowell.com>; Lee, Katie <KatLee@crowell.com>

Subject: TNL v. GoDaddy et al.

We have come to discover that Dynadot has placed a lock on the eth.link domain. The lock is in place subject to a UDRP proceeding. The UDRP lock directly impinges Plaintiffs' ownership interests in the domain, as it prohibits Plaintiffs from making changes to domain information or transferring the domain to a different registry. As there is no present UDRP proceeding underway, this lock is improperly in place. See *e.g.*, ICANN Rules at ¶ 4 (only permitting a lock to be in place after the provider submits a verification request and only if the Registrar has "notif[ied] the Respondent of the [UDRP] proceeding"), available at <https://www.icann.org/resources/pages/udrp-rules-2015-03-11-en>.

Please release the lock on the eth.link domain by no later than December 13, 2022, at 3:00 PM PT. If you believe the UDRP lock is properly in place, please let us know. However, if we do not hear from you and the lock remains improperly in place, we will seek leave from the Court to enforce the preliminary injunction against Dynadot, which prohibits Dynadot from selling, transferring, purchasing, or accepting any "ownership interest in the Domain." See ECF No. 19 at 4.

Warrington Parker

wparker@crowell.com

+1.415.365.7234 direct

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San Francisco, CA 94111

Crowell

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